

4. The outstanding unpaid hire from May 1, 2015 to September 30, 2016, which is currently due and owing, is USD 6,520,373.71.

5. Plaintiff through court proceedings has attached funds of SPACE in the United Kingdom in the amount of USD 2,000,975.00, and in proceedings in the United States it attached the vessel ADVANTAGE ANTHEM, and substitute security for her release in the amount of USD 1,700,000.00 was posted by her owners. However, the sums attached are insufficient to secure further and additional bareboat charter hire that has been earned by the CV STEALTH and accrued since May 1, 2015. The said unsecured and unpaid amount is USD 2,819,398.71, exclusive of interest and costs.

6. Non-party Geden Holdings, Ltd. (hereinafter “Geden Holdings”) is the 100% controlling parent of SPACE and guarantor of its performance of the Bareboat Charter.

7. ADVANTAGE AVENUE SHIPPING, LLC is the registered owner of the M/T ADVANTAGE AVENUE, and is owned and 100% controlled by the holding company AVANTAGE TANKERS LLC.

8. ADVANTAGE TANKERS LLC, ADVANTAGE AVENUE SHIPPING, LLC and certain other one ship companies are successor corporations of Geden Holdings and other one ship companies that Geden Holdings formerly controlled (including True Shipping, Ltd., the former registered owner of the M/T “TRUE”, renamed “ADVANTAGE AVENUE”), and therefore ADVANTAGE TANKERS LLC and ADVANTAGE AVENUE SHIPPING, LLC are liable for the debts and contractual obligations of Defendant SPACE, including those created by the Bareboat Charter. *See* ¶¶ 23 -40 of Verified Complaint.

9. Between January and June 2015, Geden Holdings, acting in concert with the other Defendants, surreptitiously caused the transfer of all vessels it had owned through one-ship-companies (11 crude oil carriers) to new one-ship-companies, all owned and 100% controlled by a new holding company ADVANTAGE TANKERS, LLC. As part of this process all of the vessels were re-flagged, re-named, re-financed, and re-mortgaged. The ADVANTAGE AVENUE is one of these vessels. Her former name is "TRUE". See ¶¶ 23 -58 of Verified Complaint.

10. ADVANTAGE TANKERS LLC and the one-ship companies it controls are successor corporations of Geden Holdings and the "old" one-ship-companies it controlled, liable for the debts of the Charterers. See ¶¶ 23 -40 of Verified Complaint.

11. The transfer of the shipping assets controlled by Geden Holdings to ADVANTAGE TANKERS, LLC was a conveyance intended to hinder, delay, or defraud creditors, including Plaintiff, and should be set aside. See ¶¶ 41-58 of Verified Complaint.

12. Plaintiff has a valid claim in Admiralty for the breach of a maritime contract, *i.e.* the Bareboat Charter.

13. The Charterer SPACE is not present in the District but has property present in the District, *i.e.* the M/T ADVANTAGE AVENUE.

14. The M/T ADVANTAGE AVENUE, though registered in the name of ADVANTAGE AVENUE SHIPPING, LLC, may be seized under process of maritime attachment and garnishment as security for Plaintiff's claims against the Charterers SPACE for the reasons stated in the Verified Complaint and exhibits therein, as well as in the accompanying memorandum of law in support of this Motion. See also *Japan Line, Ltd. v. Willco Oil Ltd.*, 424 F. Supp. 1092, 1094 (D. Conn. 1976) (In breach of charter party case, the Court found that

Complaint alleged sufficient facts to support maritime attachment against assets of defendant to whom they had allegedly been fraudulently transferred.)

WHEREFORE, Plaintiff prays that this Court:

(a) enter an Order directing the Clerk to issue a Writ of Maritime Attachment for the M/T ADVANTAGE AVENUE;

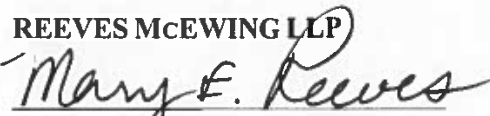
(b) all persons claiming an interest therein may be cited to appear and answer the matters aforesaid and that the M/T ADVANTAGE AVENUE may be seized, condemned and sold and the proceeds be held as security for Plaintiff's claim; and

(b) That Plaintiff may have such other and further relief as may be just and proper in the circumstances.

Respectfully submitted,

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By:



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September 8, 2016

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